

has been started in the last 15 years, that also happens to be in my district.

The time is now for us to act, both as our female businessowners continue to recover from the pandemic and as additional contracts are issued through the historic implementation of the bipartisan Infrastructure Investment and Jobs Act.

Madam Speaker, I thank my colleague and fellow entrepreneur from across the aisle, the gentlewoman from New York (Ms. TENNEY) for her partnership on this bill that will help level the playing field for all female entrepreneurs across our country.

I also thank and extend my thanks to Chair VELÁZQUEZ and Ranking Member LUETKEMEYER.

Mr. WILLIAMS of Texas. Madam Speaker, I yield such time as she may consume to the gentlewoman from New York (Ms. TENNEY), the ranking member of the Subcommittee on Underserved, Agriculture, and Rural Business Development.

Ms. TENNEY. Madam Speaker, I am honored to partner with the gentlewoman from Pennsylvania (Ms. HOULAHAN) to introduce the bipartisan Women-Owned Small Business Program Transparency Act. In 2014 and 2019, the Government Accountability Office found that the Women-Owned Small Business program has several oversight deficiencies and needs to release more in-depth performance metrics to ensure it addresses the needs of women-owned small businesses and the taxpayer.

This legislation today addresses these concerns, requiring the Small Business Administration to annually disclose the total number of businesses that are certified as women-owned by the SBA, the number certified by third-party certifiers, and fees charged by third-party certifiers, the dollar amount and percent of contracts to women-owned small businesses, and the information on contracts incorrectly awarded.

For over two decades, the Women-Owned Small Business program has set aside at least 5 percent Federal contracting dollars for certified women-owned small businesses. This plays a small, but important, part of ensuring that the Federal Government does not leave our Nation's small businesses behind and that we continue to have a robust and competitive contractor ecosystem to pull from.

In New York's 22nd Congressional District, small businesses make up 94 percent of all employers, and I have witnessed firsthand the tremendous impact of women-owned small businesses. In fact, my own family business is a women-owned business. Whether it is Curcio Printing in the Southern Tier or AeroMed Technologies in Utica, our communities and, yes, our taxpayers benefit when women-owned businesses thrive.

With these additional metrics available to policymakers, it will pave the way for future improvements to the

Women-Owned Small Business program. Only through full transparency can we ensure that this program works effectively and efficiently for small businesses and for taxpayers.

I thank, again, my partner and colleague, the gentlewoman from Pennsylvania (Ms. HOULAHAN), for cosponsoring this great piece of bipartisan legislation, and I urge my colleagues to join us in supporting this.

□ 1645

Ms. VELÁZQUEZ. Madam Speaker, I reserve the balance of my time.

Mr. WILLIAMS of Texas. Madam Speaker, I am prepared to close, and I yield myself such time as I may consume.

Madam Speaker, as I mentioned earlier, it is important for Congress to study all of the Small Business Administration's Federal contracting programs regularly.

H.R. 7670, the Women-Owned Small Business Program Transparency Act, will enhance our research and assist us as we examine this program. The more information that we have at our fingertips, simply the better.

Madam Speaker, I urge all my colleagues to support this bill, and I yield back the balance of my time.

Ms. VELÁZQUEZ. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, long after the enactment of the legislation to create the Women-Owned Small Business Program, women still face inequities when it comes to Federal contracting. The Women-Owned Small Business Program tries to address these inequities.

Today, we have the opportunity to further this mission through H.R. 7670. This bill creates a reporting requirement through which to measure whether the program is working as intended. I am certain that this oversight mechanism will lead to increased transparency, accountability, and efficiency to the benefit of our women-owned small business community. That is why I thank our committee members for their leadership in advancing this piece of legislation.

Madam Speaker, I urge my colleagues to vote "yes," and I yield back the balance of my time.

Ms. JACKSON LEE. Madam Speaker, I rise in strong support of H.R. 7670, the "Women-Owned Small Business Program Transparency Act."

H.R. 7670 is a bipartisan effort to amend the Small Business Act to require the Administrator of the Small Business Administration (SBA) to submit to Congress a report on small businesses owned and controlled by women including:

Information as to the amount of contracting dollars awarded through the program,

The number of certifications being issued,

The amount of program examinations being conducted,

The number of companies being decertified, and

The number of contracts incorrectly awarded to industries within the North American In-

dustrial Classification System or NAICS codes ineligible for the program, as well as any actions taken by SBA to properly train agency personnel.

The SBA's report to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate will equip Congress with transparency into the effectiveness of the program that will enable future improvements to the program.

Established in 2000, the Women-Owned Small Business (WOSB) program leveled the playing field by providing an opportunity for women-owned small businesses to attain federal contracts in industries where the SBA had determined that women entrepreneurs were underrepresented.

Unfortunately, due to administrative neglect in the application review and the application backlog from eligible businesses, many women were shut out from attaining contracts.

Following the U.S. Government Accountability Office's investigation into this matter, they concluded that "By not improving its oversight of the WOSB program, SBA is limiting its ability to ensure third-party certifiers are following program requirements", meaning that several contracts that WOSBs had applied for were inaccessible to women.

When enacted, H.R. 7670 will reform the oversight of the WOSB program to ensure that transparency and accountability are high priorities during the contract distribution process.

I applaud the efforts of my colleagues Rep. CHRISSY HOULAHAN and Rep. CLAUDIA TENNEY for elevating the voices of all female entrepreneurs across America, including over 125,000 female small business owners from Houston.

There has been a long history of women-owned small businesses being excluded from consideration for federal contracts and participation in subcontracting. The progress that women-owned small businesses had made was curtailed by the COVID-19 pandemic, and that lost ground must be reversed so that women-owned businesses are able to remain competitive.

Now more than ever, it is critical for Congress to stand with America's small business owners to whom we owe a great deal for our economic prosperity.

Madam Speaker, I urge my colleagues to join me in supporting H.R. 7670.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Ms. VELÁZQUEZ) that the House suspend the rules and pass the bill, H.R. 7670.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ROY. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this motion are postponed.

STRENGTHENING SUBCONTRACTING FOR SMALL BUSINESSES ACT OF 2022

Ms. VELÁZQUEZ. Madam Speaker, I move to suspend the rules and pass the

bill (H.R. 7694) to amend the Small Business Act to modify the requirements relating to the evaluation of the subcontracting plans of certain offerors, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 7694

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Strengthening Subcontracting for Small Businesses Act of 2022”.

SEC. 2. EVALUATION OF SUBCONTRACTING PLANS.

Section 8(d)(4)(G) of the Small Business Act (15 U.S.C. 637(d)(4)(G)) is amended—

(1) in the matter preceding clause (i), by striking “bundled contract” and all that follows through “for subcontracting” and inserting “contract that includes a subcontracting plan required under this paragraph”; and

(2) in clause (i), by striking “the rate provided under the subcontracting plan for small business participation” and inserting “the description in the subcontracting plan of the extent to which the offeror proposes to use small business concerns as subcontractors (at any tier)”.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Ms. VELÁZQUEZ) and the gentleman from Texas (Mr. WILLIAMS) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Ms. VELÁZQUEZ. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the measure under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. VELÁZQUEZ. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today in support of H.R. 7694, the Strengthening Subcontracting for Small Businesses Act of 2022. Subcontracting plans are an important mechanism for small business utilization. In fact, for many small businesses, subcontracting plans represent the only way to participate in Federal contracts. That is why the Small Business Act requires contractors to have subcontracting plans in certain situations.

For example, subcontracting plans are required for contracts that exceed certain thresholds, have subcontracting possibilities, and are awarded using negotiated procedures. While having these plans in place is an important first step, it will not make a difference if the prime does not implement them.

The Small Business Act has a provision that allows agencies to subject prime contractors to liquidated damages if they do not employ good faith efforts to meet the subcontracting plans. However, the standard is ambig-

uous and not always enforced. As a result, primes often face no consequences for failing to meet their subcontracting plans. That is simply unacceptable.

We must do more to ensure prime contractors comply with their subcontracting plans. This is precisely what H.R. 7694 does. It requires agencies to evaluate past performance in meeting subcontracting plans when considering offers for new contract awards. In other words, by making sure that previous compliance with these plans is taken into consideration when making new awards, it would encourage more compliance with subcontracting plans.

I thank Representative STAUBER and Representative MFUME for leading this effort, which represents an innovative solution to a longstanding problem.

Madam Speaker, I urge Members to support this legislation, and I reserve the balance of my time.

Mr. WILLIAMS of Texas. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of H.R. 7694. All contractors know the importance of subcontractors. Their work responsibilities are crucial to completing jobs on time and on budget. H.R. 7694 translates the importance of subcontracting to Federal contracting and especially those who participate within the SBA's contracting programs. Simply put, past performance should be acknowledged on all future dealings.

Madam Speaker, I thank the gentleman from Minnesota (Mr. STAUBER), my friend, who is one of the biggest advocates for small businesses and subcontractors, and the gentleman from Maryland (Mr. MFUME) for working in a bipartisan manner to highlight this issue.

I also again thank the chair for bringing this bill forward, and I urge my colleagues to support H.R. 7694.

Madam Speaker, I reserve the balance of my time.

Ms. VELÁZQUEZ. Madam Speaker, I continue to reserve the balance of my time.

Mr. WILLIAMS of Texas. Madam Speaker, I yield such time as he may consume to the gentleman from Minnesota (Mr. STAUBER), one of the biggest advocates for small businesses and subcontractors.

Mr. STAUBER. Madam Speaker, I thank the gentleman for yielding.

Madam Speaker, thanks to this administration's bad policies, small businesses are struggling with skyrocketing inflation, record-high gas prices, and supply chain and labor crises. It is imperative that Congress help our small businesses find success despite this economic landscape. One way we can do this is by improving the Federal contract marketplace.

A common theme we have heard in the contracting space is that prime contracting opportunities for small businesses are dwindling at an alarming rate. This means that subcontracting opportunities are more impor-

tant than ever for our small businesses. While large prime contractors are statutorily required to have subcontracting plans, there is little incentive for prime contractors to comply with their own goals.

Further, there is no requirement that a contracting officer take into consideration a contractor's past performance in subcontracting with small businesses when deliberating new awards. While it is laudable that prime contractors have subcontracting plans, these plans seem to have minimal influence on a contractor's motivation to award work to small businesses.

This bill, the Strengthening Subcontracting for Small Businesses Act, addresses this problem in a few ways:

First, the legislation will require the consideration of a contractor's proposed utilization of small businesses in its subcontracting plans.

Second, the legislation will require the consideration of the contractor's past performance in meeting its previous goals.

In short, this bill creates a strong incentive for large prime contractors to comply with their own goals since it will now impact their ability to win new work.

Madam Speaker, I thank my colleague, Congressman MFUME, for his collaboration on this bill. Together, I believe we have created a meaningful piece of legislation that will make a real and significant impact on small businesses, and I look forward to continuing our relationship.

Ms. VELÁZQUEZ. Madam Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. MFUME).

Mr. MFUME. Madam Speaker, I particularly thank the chair for yielding this time but also for her very important leadership on the Committee on Small Business and for the excellence of her example—getting all of us to the point of where we are today.

At a time when, as has been said, small businesses are at risk of being pushed out of the Federal procurement space due to forces outside of their control, it is imperative that we unite across the aisle, as has been stated, to stand up for small business concerns and to help grow their presence in the Federal contracting space where possible.

I am very pleased to work with Representative STAUBER, the distinguished gentleman from Minnesota, who, on committee and at this time, jointly share an interest in this legislation because of what it does. I look forward to working with Mr. STAUBER in the future on other joint endeavors.

I also thank the staff of the Committee on Small Business for working very hard to pull together this commonsense bill that protects small businesses by incentivizing large prime contractors to adhere to their contracting plans.

Now, some might say, well, why do you have to do that? Unfortunately, if we don't do it, they will continue as

they have done, to not adhere to those plans, and it hurts the overall small business community.

Currently, prime contractors have very little economic incentive to do the right things, to abide by their subcontracting plans, and these are the plans that they, themselves have negotiated. So when prime contractors disregard these pre-negotiated terms, the only recourse that we have is to make sure that we find a way to involve ourselves before they are left with their only alternative, which is to file a lawsuit.

Given the nature of the courts, any small business relief that may come to them could prove to be too little, too late.

Madam Speaker, again, I thank the gentleman from Minnesota. This bill creates an economic incentive for prime contractors to follow their subcontracting plans by requiring any agency of the government to assess those plans and to offer advice and an opinion on whether or not they have complied.

The SPEAKER PRO TEMPORE. The time of the gentleman has expired.

Ms. VELÁZQUEZ. Madam Speaker, I yield an additional 30 seconds to the gentleman from Maryland.

Mr. MFUME. Madam Speaker, by amending the language of the Small Business Act, by expanding its scope, this legislation will give contractors that treat small businesses the right and the fair way, a greater chance at winning Federal contractors. And it will hopefully incentivize those contractors that are not, to finally do the right thing.

Madam Speaker, I respectfully ask that my colleagues vote in support of H.R. 7694, the Strengthening Subcontracting for Small Businesses Act of 2022.

Mr. WILLIAMS of Texas. Madam Speaker, I yield myself such time as I may consume to close.

Madam Speaker, as contract consolidation continues to build momentum, opportunities will continue to falter. Overall, this trendline is heading in the wrong direction. As a result, the emphasis and importance will be placed on subcontracting.

H.R. 7694 takes an important step by requiring that past performance is taken into account on all future contracts. Congress will need to continue to study this issue carefully, and H.R. 7694 will assist us along the way.

Madam Speaker, I urge my colleagues to support this legislation, and I yield back the balance of my time.

Ms. VELÁZQUEZ. Madam Speaker, I would just say thank you to both gentlemen, Mr. STAUBER and Mr. MFUME, for their hard work, and I urge my colleagues to support this bill.

Madam Speaker, I yield back the balance of my time.

Ms. JACKSON LEE. Madam Speaker, I rise in strong support of H.R. 7694, the "Strengthening Subcontracting for Small Businesses Act of 2022."

This legislation would amend the Small Business Act to ensure that companies awarded government contracts utilize small businesses in their subcontracting plans.

H.R. 7694 would ensure that small businesses are not excluded from the government contracting process, which is an important concern in Congress.

With more than 65 percent of small businesses having experienced at least a moderately negative impact from the COVID-19 pandemic according to Statista Research, it is more vital than ever that we continue to strengthen small business.

This legislation will provide that urgently needed support.

As small businesses account for 44 percent of U.S. economic activity, they are the powerhouse behind the American workforce, creating two-thirds of the new jobs over the last 15 years.

Small business is vital in times of crisis, giving our economy the ability to be more flexible, innovative, and productive.

In my home district in Houston, there are over 600,000 small businesses engaged in industries across the spectrum.

Many of these small businesses received subcontracts following the devastation of Hurricanes Ike and Harvey, and their work helped rebuild Houston as well as restore local economic growth.

Just this week, there was a briefing on the COVID-19 pandemic response that underscored how important small business subcontracts were, and continue to be, to our capacity for COVID testing, quarantine, and much more.

Small businesses are always serving our communities, and this legislation on subcontracting will allow them to do more of what they're already doing: improving life for us all.

We need legislation that reinforces the value and capability that small businesses provide to the American economy, especially through contracts with the federal government.

I urge all my colleagues to support H.R. 7694, the Strengthening Subcontracting for Small Businesses Act.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Ms. VELÁZQUEZ) that the House suspend the rules and pass the bill, H.R. 7694.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. ROY. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this motion are postponed.

□ 1700

BANKRUPTCY THRESHOLD ADJUSTMENT AND TECHNICAL CORRECTIONS ACT

Mr. NEGUSE. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3823) to amend title 11, United States Code, to modify the eligibility requirements for a debtor under chapter 13, and for other purposes.

The Clerk read the title of the bill.
The text of the bill is as follows:

S. 3823

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Bankruptcy Threshold Adjustment and Technical Corrections Act".

SEC. 2. BANKRUPTCY AMENDMENTS.

(a) DEFINITION OF SMALL BUSINESS DEBTOR.—Section 101(51D)(B) of title 11, United States Code, is amended—

(1) in clause (i), by inserting "under this title" after "affiliated debtors"; and

(2) in clause (iii), by striking "an issuer" and all that follows and inserting "a corporation described in clause (ii).".

(b) ADJUSTMENTS FOR INFLATION.—Section 104 of title 11, United States Code, is amended—

(1) in subsection (a), by inserting "1182(1)," after "707(b)."; and

(2) in subsection (b), by inserting "1182(1)," after "707(b).".

(c) WHO MAY BE A DEBTOR UNDER CHAPTER 13.—Section 109 of title 11, United States Code is amended by striking subsection (e) and inserting the following:

"(e) Only an individual with regular income that owes, on the date of the filing of the petition, noncontingent, liquidated debts of less than \$2,750,000 or an individual with regular income and such individual's spouse, except a stockbroker or a commodity broker, that owe, on the date of the filing of the petition, noncontingent, liquidated debts that aggregate less than \$2,750,000 may be a debtor under chapter 13 of this title."

(d) DEFINITION OF DEBTOR.—Section 1182(1) of title 11, United States Code, is amended to read as follows:

"(1) DEBTOR.—The term 'debtor'—

"(A) subject to subparagraph (B), means a person engaged in commercial or business activities (including any affiliate of such person that is also a debtor under this title and excluding a person whose primary activity is the business of owning single asset real estate) that has aggregate noncontingent liquidated secured and unsecured debts as of the date of the filing of the petition or the date of the order for relief in an amount not more than \$7,500,000 (excluding debts owed to 1 or more affiliates or insiders) not less than 50 percent of which arose from the commercial or business activities of the debtor; and

"(B) does not include—

"(i) any member of a group of affiliated debtors under this title that has aggregate noncontingent liquidated secured and unsecured debts in an amount greater than \$7,500,000 (excluding debt owed to 1 or more affiliates or insiders);

"(ii) any debtor that is a corporation subject to the reporting requirements under section 13 or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m, 78o(d)); or

"(iii) any debtor that is an affiliate of a corporation described in clause (ii)."

(e) TRUSTEE.—Section 1183(b)(5) of title 11, United States Code, is amended—

(1) by striking "possession, perform" and inserting "possession—

"(A) perform";

(2) in subparagraph (A), as so designated—

(A) by striking "including operating the business of the debtor"; and

(B) by adding "and" at the end; and

(3) by adding at the end the following:

"(B) be authorized to operate the business of the debtor";

(f) CONFIRMATION OF PLAN.—Section 1191(c) of title 11, United States Code, is amended by striking paragraph (3) and inserting the following: